United Nations S/2006/585

Security Council

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28 July 2006
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Draft resolution

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Democratic Republic of the Congo, in particular resolutions 1493 of 28 July 2003, 1533 of 12 March 2004, 1552 of 27 July 2004, 1565 of 1 October 2004, 1592 of 30 March 2005, 1596 of 18 April 2005, 1616 of 29 July 2005, 1649 of 21 December 2005 and 1654 of 31 January 2006,

Reaffirming its commitment to respect for the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo as well as all States in the region,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo, and *declaring its determination* to continue close monitoring of the implementation of the arms embargo imposed by resolution 1493 and expanded by resolution 1596, and to enforce the measures provided for in paragraphs 13 and 15 of resolution 1596 against persons and entities acting in violation of this embargo,

Reiterating its serious concern regarding the presence of armed groups and militias in the Eastern part of the Democratic Republic of the Congo, particularly in the provinces of Ituri, North Kivu and South Kivu, which perpetuate a climate of insecurity in the whole region,

Recognizing the linkage between the illegal exploitation of natural resources, illicit trade in such resources and the proliferation and trafficking of arms as one of the factors fuelling and exacerbating conflicts in the Great Lakes region of Africa,

Encouraging the authorities of the Democratic Republic of the Congo to continue their efforts with a view to promoting good governance and transparent economic management, and *welcoming* in this regard the work of the National Assembly's Special Commission in charge of evaluating the validity of the economic and financial contracts concluded during the 1996-1997 and 1998 conflicts,

Taking note of the reports of the Group of Experts referred to in paragraph 10 of resolution 1533 and paragraph 21 of resolution 1596 (hereafter the Group of Experts), dated 26 January 2006 (S/2006/53) and 18 July 2006 (S/2006/525), transmitted by the Committee established in accordance with paragraph 8 of resolution 1533 (hereafter the Committee),

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Recalling its resolution 1612 of 26 July 2005 and its previous resolutions on children and armed conflict,

Taking note of the report of the Secretary-General on children and armed conflict in the Democratic Republic of the Congo, dated 13 June 2006 (S/2006/389), and of its recommendations,

Taking note of the report of the Security Council mission which visited Kinshasa from 10 to 12 June 2006 (S/2006/434), and *endorsing* its recommendations,

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the demands of paragraphs 15, 18 and 19 of resolution 1493, of paragraph 5 of resolution 1596, and of paragraphs 15 and 16 of resolution 1649;

2. *Decides*, in light of the failure by the parties to comply with the demands of the Council, to renew until 31 July 2007 the provisions of paragraphs 20 to 22 of resolution 1493, as amended and expanded by paragraph 1 of resolution 1596 and by paragraph 2 of resolution 1649, and *reaffirms* paragraphs 2, 6, 10 and 13 to 16 of resolution 1596, as well as paragraphs 3 to 5 of resolution 1649 and paragraph 10 of resolution 1671;

3. *Requests* the Secretary-General to take the necessary administrative measures as expeditiously as possible with a view to extending the mandate of the Group of Experts for a period expiring on 31 July 2007, drawing, as appropriate, on the expertise of the members of the Group of Experts established pursuant to resolution 1654 and appointing new members as necessary in consultation with the Committee;

4. *Requests* the Group of Experts to continue fulfilling its mandate as defined in resolutions 1533, 1596 and 1649, to update regularly the Committee on its work, and to report to the Council in writing, through the Committee, by 20 December 2006, and again before 10 July 2007;

5. *Recalls* that, by its resolutions 1533, 1596, 1616 and 1649, the Council has mandated the Group of Experts:

(a) To examine and analyse information gathered by the United Nations Organisation Mission in the Democratic Republic of the Congo (MONUC) in the context of its monitoring mandate;

(b) To gather and analyse all relevant information in the Democratic Republic of the Congo, countries of the region and, as necessary, in other countries, in cooperation with the Governments of those countries, flows of arms and related materiel, as well as networks operating in violation of the measures imposed by paragraph 20 of resolution 1493;

(c) To consider and recommend, where appropriate, ways of improving the capabilities of States interested, in particular those of the region, to ensure the measures imposed by paragraph 20 of resolution 1493 are effectively implemented;

(d) To report to the Council in writing, through the Committee, on the implementation of the measures imposed by paragraph 20 of resolution 1493 and on

the implementation of the measures set forth in paragraphs 1, 6, 10, 13 and 15 of resolution 1596, with recommendations in this regard, including information on the sources of financing, such as from natural resources, which are funding the illicit trade of arms;

(e) To keep the Committee frequently updated on its activities;

(f) To exchange with MONUC, as appropriate, information that might be of use in the fulfilment of its monitoring mandate as described in paragraphs 3 and 4 of resolution 1533;

(g) To provide the Committee in its reports with a list, with supporting evidence, of those found to have violated the measures imposed by paragraph 20 of resolution 1493, and those found to have supported them in such activities for possible future measures by the Council;

(h) Within its capabilities and without prejudice to the execution of the other tasks in its mandate, to assist the Committee in the designation of the leaders referred to in paragraph 2 of resolution 1649;

6. *Requests* the Group of Experts, in close consultation with all relevant stakeholders, including the Governments of the Democratic Republic of the Congo and of the neighbouring States, the World Bank, MONUC and private sector actors:

- to include in its report to be submitted by 20 December 2006, further recommendations based on paragraphs 158 and 159 of its report dated 18 July 2006, on feasible and effective measures the Council might impose to prevent the illegal exploitation of natural resources financing armed groups and militias in the Eastern part of the Democratic Republic of the Congo, including through a certificate of origin regime;
- to include in the above-mentioned report an assessment of the relative importance of the exploitation of natural resources to the armed groups as compared to other sources of income;

7. *Requests* the Secretary-General to enable the Group of Experts to perform the tasks set out in the previous paragraph without prejudice to the execution of the other tasks in its mandate, by providing it with the necessary additional resources;

8. *Requests* the Secretary-General to present before 15 February 2007, in close consultation with the Group of Experts, a report comprising an assessment of the potential economic, humanitarian and social impact on the population of the Democratic Republic of the Congo of implementation of the possible measures referred to in paragraph 6 above;

9. *Expresses its intention* to consider, after it reviews the reports referred to in paragraphs 6 and 8 above, possible measures to stem the sources of financing of armed groups and militias, *including* the illegal exploitation of categories of natural resources, in the Eastern part of the Democratic Republic of the Congo;

10. *Urges* the Government of the Democratic Republic of the Congo to strengthen its efforts, with the support of the international community, including specialised international organizations, with a view to effectively extending State authority throughout its territory, to establishing its control over the exploitation and

export of natural resources, and to improving the transparency of export revenue from those natural resources;

11. *Welcomes* the recommendations of the Group of Experts aimed at improving the tracking of ore and precious metals within a regional framework, and *encourages* States in the region of the Great Lakes of Africa to agree on ways to act upon those recommendations;

12. *Recalls* the terms of paragraph 13 of resolution 1493, and *once again strongly condemns* the continued use and recruitment of children in the hostilities in the Democratic Republic of the Congo;

13. *Decides* that, for a period expiring on 31 July 2007, the provisions of paragraphs 13 to 16 of resolution 1596 shall extend to the following individuals, operating in the Democratic Republic of the Congo and designated by the Committee:

- Political and military leaders recruiting or using children in armed conflict in violation of applicable international law;
- Individuals committing serious violations of international law involving the targeting of children in situations of armed conflict, including killing and maiming, sexual violence, abduction and forced displacement;

14. *Decides* that the tasks of the Committee set out in paragraph 18 of resolution 1596 shall extend to the provisions set out in the previous paragraph;

15. *Expresses its intention* to modify or to remove the provisions above if it determines that the demands reaffirmed in paragraph 1 have been satisfied;

16. *Recalls* that, by its resolution 1565, the Council has mandated MONUC:

- to monitor the implementation of the measures imposed by paragraph 20 of resolution 1493, including on the lakes, in cooperation with the United Nations Operation in Burundi (ONUB) and, as appropriate, with the Governments concerned and with the Group of Experts, including by inspecting, as it deems it necessary and without notice, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings in North Kivu, in South Kivu and in Ituri;
- to seize or collect, as appropriate, the arms and any related materiel whose presence in the territory of the Democratic Republic of the Congo violates the measures imposed by paragraph 20 of resolution 1493, and dispose of such arms and related materiel as appropriate;

17. *Requests* the working group of the Security Council on children in armed conflict, the Secretary-General and his Special Representative for children in armed conflict, as well as the Group of Experts, within its capabilities and without prejudice to the execution of the other tasks in its mandate, to assist the Committee in the designation of the individuals referred to in paragraph 13 above, by making known without delay to the Committee any useful information;

18. *Reaffirms its demand*, expressed in paragraph 19 of resolution 1596, that all parties and all States cooperate fully with the work of the Group of Experts, and that they ensure:

– the safety of its members;

– unhindered and immediate access, in particular to persons, documents and sites the Group of Experts deems relevant to the execution of its mandate;

19. *Further demands* that all parties and all States ensure the cooperation with the Group of Experts of individuals and entities within their jurisdiction or under their control, and *calls on* all States in the region to implement fully their obligations under paragraph 18 above;

20. *Acknowledges* the assurances given by the Government of Uganda to the Committee on 23 May 2006 in relation to its commitment to fulfil its obligations under paragraph 19 of resolution 1596, and *calls on* the Government of Uganda to demonstrate this commitment fully;

21. *Expresses its intention* to consider extending application of the individual measures provided for in paragraphs 13 and 15 of resolution 1596 to individuals obstructing the action of MONUC or of the Group of Experts, and *requests* the Secretary-General to present to the Council his observations in this regard;

22. *Recalls* that, in accordance with paragraphs 2 (c) and 4 of resolution 1596, States have an obligation to notify in advance to the Committee supplies to the Democratic Republic of the Congo of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance and training, as well as authorized shipments of arms and related materiel to the Democratic Republic of the Congo consistent with such exemptions noted in paragraph 2 (a) of resolution 1596;

23. *Decides* to remain actively seized of the matter.

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Letter dated 25 July 2006 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the United Nations Stabilization Mission in Haiti (MINUSTAH), which was established on 1 June 2004 pursuant to Security Council resolution 1542 (2004).

Further to my letter of 29 November 2004 (S/2004/941), I would inform you that, following the usual consultations, it is my intention to add Bolivia to the list of countries that have agreed to provide military personnel to the Mission.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

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Letter dated 28 July 2006 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 25 July 2006 (S/2006/586) concerning your intention to add Bolivia to the list of countries that have agreed to provide military personnel to the United Nations Stabilization Mission in Haiti (MINUSTAH) has been brought to the attention of the members of the Council and that they have taken note of it.

(*Signed*) Jean-Marc **de La Sablière**
President of the Security Council

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